

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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PHILLIP LAMONT COLEMAN,

Civil No. 15-3089 (PJS/HB)

Petitioner,

v.

TOM ROY, COMMISSIONER OF  
CORRECTION,

**ORDER ON REPORT  
AND RECOMMENDATION**

Respondent.

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. The Report and Recommendation is **ADOPTED**;
2. Coleman's petition for a writ of habeas corpus [Doc. No. 1] is **DENIED WITHOUT PREJUDICE** for failure to exhaust state remedies; and
3. No certificate of appealability will be issued.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: 9/9/15

s/Patrick J. Schiltz  
PATRICK J. SCHILTZ  
United States District Judge